

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**FLORA ELLEN MINTON,**  
**Plaintiff,**

**v.**

**HARRY SHULTZ, et al.,**  
**Defendants.**

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**No. 3:06-CV-320**  
**Phillips**

**ORDER**

Plaintiff has brought this civil rights action against the Sheriff of Claiborne County and various officers alleging excessive force, invasion of privacy rights, assault and battery as a result of being detained and forced to undergo decontamination procedures during investigation of a meth lab. Plaintiff has brought her claims under 42 U.S.C. § 1983 and Tennessee state law. Specifically, plaintiff has alleged a violation of § 1983 under the Eighth Amendment. In response to defendants' motions for summary judgment, plaintiff concedes that she has failed to state an Eighth Amendment claim.

In reviewing the pleadings, it appears to the court that plaintiff has attempted to state claims for unlawful detention, excessive force, and invasion of privacy rights under the Fourth and Fourteenth Amendments. The court finds that plaintiff should be afforded an opportunity to file an amended complaint restating her causes of action. If plaintiff chooses to file an amended complaint, it must be filed on or before **April 28, 2008**. Should

plaintiff choose to amend her complaint, defendants will be provided an opportunity to respond to the amended complaint and to supplement their motions for summary judgment.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge